IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)	
	Plaintiff,) 8:06CR61)	
	vs.) DETENTION ORDER	
RC	DBERTO MORALES, JR.,)	
	Defendant.	'	
A.	Order For Detention After conducting a detention hearing pursua Act on March 7, 2006, the Court orders the ato 18 U.S.C. § 3142(e) and (i).	ant to 18 U.S.C. § 3142(f) of the Bail Reform above-named defendant detained pursuant	
B.	conditions will reasonably assure the X By clear and convincing evidence that		
C.	distribute in excess of 50 violation of 21 U.S.C. § years imprisonment and the distribution of methat violation of 21 U.S.C. § 8 years imprisonment. (b) The offense is a crime of the content of	g: ne offense charged: by to distribute and possess with intent to 0 grams of methamphetamine (Count I) in 846 carries a minimum sentence of five I a maximum of forty years imprisonment; amphetamine (Counts III, IV, V and VII) in 841(a)(1) each carry a maximum of twenty If violence.	
	may affect whet X The defendant h X The defendant h X The defendant h X The defendant is X The defendant ites. Past conduct of X The defendant h The defendant h The defendant h The defendant h	appears to have a mental condition which ther the defendant will appear. The nas no family ties in the area. The nas no steady employment. The nas no substantial financial resources. The short a long time resident of the community does not have any significant community. The defendant: The nas a history relating to drug abuse. The nas a history relating to alcohol abuse. The nas a significant prior criminal record. The nas a prior record of failure to appear at	

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	(b)	At the time of the current arrest, the defendant was on: Probation Parole
		Release pending trial, sentence, appeal or completion of sentence.
	(c)	Other Factors: The defendant is an illegal alien and is subject to
		deportation. The defendant is a legal alien and will be subject to deportation if convicted.
		The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
X (4)	releas defen that th	nature and seriousness of the danger posed by the defendant's see are as follows: The nature of the charges in the Indictment, the dant's prior criminal history to include crimes of violence, and the fact he defendant sought permission to leave Texas while on probation, enied that permission but left Texas anyway.
X (5)	In dete	ttable Presumptions ermining that the defendant should be detained, the Court also relied following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted:
	<u>(a)</u>	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
_X	<u>(</u> (b)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device)

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- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 8, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge